

REMARKS

Claims 2, 3, 6-9, 11, 12, and 14-25 are pending in the application.

Claims 2, 3, 6-9, 11, and 12 have been allowed.

Claims 14-17 have also been indicated as allowed. However, upon further review, claim 14 depends from claim 1, which was previously cancelled. Claim 14 was rewritten into independent form in a prior amendment, but was then incorrectly indicated as a dependent claim in the amendment filed on June 30, 2005. With this Amendment, claim 14 is again placed in proper independent form, and is thus allowable. Claims 15-17 depend from claim 14 and are also allowable, as indicated in the Office Action.

Claims 18-21 stand rejected as anticipated under § 102(e) in view of Annable '226. Claims 18, 19, and 22-25 stand rejected under § 103(a) as obvious in view of Barona '002 and Annable '226. Applicants respectfully submit that independent claim 18 as presented herein patentably distinguishes over Annable '226 alone or in combination with Barona '002, as set forth below.

Claim 18 is amended herein to more particularly define that the adhesive nonwoven fibrous web that is presented to the first roll comprises thermoplastic fibers wherein substantially all of these fibers comprise a blend of a thermoplastic polymer and a compatible adhesive additive. The polymer and additive are extruded together to form the thermoplastic fibers. Reference is made to pages 20 and 21 of the present specification. Thus, it should be appreciated, that the method of claim 18 relates to creping a nonwoven web wherein the web is formed substantially uniformly of thermoplastic fibers that comprise a blend of a thermoplastic polymer and adhesive additive. This composition of the nonwoven fibrous web is not disclosed in Annable '226.

In the embodiment of Annable '226 described at column 7, lines 39 through 53, the web 36 may contain binder fibers that allow the web to engage the roll 104 when heated to a certain temperature. These "binder fibers" are distinct fibers of an adhesive that are contained within the web in an amount of between 5% to about 60%. A nonwoven web formed of thermoplastic fibers and separate binder fibers in an amount of between about 5% to about 60% is not the type of web set forth in claim 18 of the present application. With the web according to Annable '226, the adhesive is provided in the form of separate adhesive fibers, and is not in the form of a compatible adhesive that is co-extruded with the thermoplastic polymer to form blended fibers, with substantially all of the fibers of the web comprising the blended fibers. The two distinctly different types of nonwoven webs will provide uniquely distinct creped webs.

Accordingly, applicants respectfully submit that independent claim 18 is not anticipated by Annable '226.


Applicants also submit that claim 18 is not rendered obvious by the combination of Annable '226 and Barona '002. As a first matter, Annable '226 is a prior art reference to the present application under 35 U.S.C. § 102(e). However, Annable '226 and the presently claimed invention were, at the time the present invention was made, owned or subject to obligation of assignment to Kimberly-Clark Worldwide, Inc. The assignee of Annable '226 is properly recorded on the front page of the '226 patent. The assignment from all inventors to Kimberly-Clark Worldwide, Inc. in the present application was properly filed on March 18, 2002. Accordingly, pursuant to 35 U.S.C. § 103(c)(1), Annable is not a proper reference against the present application in an obviousness rejection based on 35 U.S.C. § 103.

The inapplicability of Annable '226 notwithstanding, the combination of Annable '226 and Barona '002 would still not render claim 18 obvious for essentially the reasons discussed above with respect to the anticipation rejection based on Annable '226. The use of binder fibers as taught by Annable '226 in the nonwoven web of Barona '002 is not in accordance with the invention as set forth in claim 18.

Accordingly, applicants respectfully submit that remaining independent claim 18 patentably defines over the applied art and is allowable. Claims 19 through 25 only further patentably define the inventive method of claim 18 and are thus also allowable. With the present Amendment, applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience should she have any questions regarding this matter or require any additional information.

Respectfully submitted,

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